(21)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO.6180 OF 2005

PETITIONERS

1. Bhadul S/o Ghislu Gond
   Aged about 55 years.
2. Samaru S/o Ghislu Gond
   Aged about 50 years
3. Chaita S/o Ghislu Gond
   Aged about 40 years
   All are R/o Village Bodhaikunda, Tahsil Kawardha, District – Kabirdham (C.G.)

versus

RESPONDENTS

1. Lakhan Sahu S/o Samelal, aged about 55 years.
2. Phool Singh S/o Rapai Sahu, aged about 70 years.
3. Ramlal S/o Rupai, aged about 65 years
4. Ramprasad S/o Rupai Sahu, aged about 60 years,
   All the R/o Dashrangpur Khurd, P.H. No. 11 R.J. Circle Bodla, Tahsil – Kawardha, District Kabirdham (C.G.)
5. State of Chhattisgarh
   Through Collector, Kabirdham (C.G.)
6. Board of Revenue Chattisgarh
   Through : The it Secretary Bilaspur

Present : Mr. Rakesh Pandey, learned counsel for the petitioners.
Mr. Ajit Singh, learned counsel for the respondents No. 1 to 4.
Mr. Sanjay S. Agrawal, learned G.A., for the State of CG.

ORAL ORDER
(Passed on 27th February, 2006)

This writ petition is directed against the remand order passed by the Board of Revenue. The Board of Revenue has remanded the proceedings to the Sub Divisional Officer on the ground that in passing the order he did not comply with the mandatory provisions of sub-Section (3) of Section 170-B of the Chhattisgarh Land Revenue Code, 1959.

(2) Having heard learned counsel for the parties, I do not find any ground whatsoever to step-in under Article 226 of the Constitution of India and interfere with the remand order. The petitioners will have opportunity to put-forth his case before the Sub Divisional Officer. The writ petition is, therefore, dismissed.

Sd/-
Chief Justice

Brijesh